

SUBJECT No. 5.

Amendment of the Village
Offices Regulation.

Mr. C. Channakeshaviah, Chital-
drug Taluk.

Summary of discussion.—When the last holder of a village office leaves no direct heirs, his daughter's son succeeds him. The divided brothers and nephews of the deceased are thus deprived of the "Hak" and the office passes to a different family. The Village Offices Regulation may be so amended as to allow the nearest agnates to be preferred to the daughter's son. Formerly, brothers could work by rotation or get a portion of the potgi but under the Village Offices Regulation this cannot be done. Where the last holder dies leaving no male issue the *hak* passes on to the daughter's son in preference to his brothers. This leads to injustice.

Mr. Balakrishna Rao.—The *hak* is indivisible and therefore it is treated as joint family property. At the time of partition this *hak* is not usually taken into account in settling the value of the shares of the brothers. The office is valued not on account of the emoluments but on account of the status, etc., it confers on the holder.

Mr. Kesar Singh, Tumkur Muni-
cipality.

Per contra.—As the *hak* is granted by Government for the performance of a duty and as it can be taken away for any fault, etc., this *hak* cannot be treated as a joint family property giving rise to rights of survivorship.

Reply of Government.—Not possible.

SUBJECT No. 6.

Amendment of law allow-
ing suits against Govern-
ment.

Messrs. S. R. Balakrishna Rao, K.
Shankaranarayana Rao, Shimoga
Taluk, and A. Ramanna, Bar As-
sociation, Mysore.

Summary of discussion.—The law may be so amended as to allow suits against Government as in British India. As it is, the aggrieved party has to take the risk of suing the officer concerned and if the officer is beyond the reach of the Mysore Courts when the decree is passed or even during the trial, the party will be without remedy.

Mr. Shankaranarayana Rao.—The representation if sanctioned, will make the officers more vigilant in the discharge of their duties.

Mr. V. Raghavachar.—At present, it is difficult to know whom to sue. The aggrieved party may be permitted to sue the Secretary to Government as representing the Government.

Mr. Basavaiya.—If the Government officers act justly there will be no grounds for apprehension. The law in British India may be adopted here.

Mr. C. Sreenivasa Rao.—If an officer against whom there is a cause of action dies, the party will have no remedy under the existing law.

Reply of Government.—Will be considered in due course. The request seems reasonable.

SUBJECT No. 7.

Amendment of the Civil
Procedure Code.

Mr. S. R. Balakrishna Rao, Shi-
moga Taluk.

Summary of discussion.—The Civil Procedure Code may be so amended as to dispense with the necessity of passing two decrees, one, preliminary and the other, final. The terms of the final decree may be inserted in the